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FILED

APR 03 2024

Clerk, U.S. District Court
Texas Eastern

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

JOSHUA WILSON, et. al.,
Plaintiffs,

vs.

LLOYD AUSTIN, III, in his official
capacity as Secretary of Defense, et. al.,
Defendants.

Case No.: 4:22-cv-00438-ALM

**UPDATED NOTICE OF
CORRECTION TO AMICUS
CURIAE BRIEF**

Hon. Judge Amos L. Mazzant

COMES NOW, Pritish Vora, Amicus Curiae, ("Amicus") by way of Pro Se, files with the Honorable Court his NOTICE OF CORRECTION to his Amicus Curiae Brief in support of the Plaintiffs' motion for reconsideration. (See Dkt. # 65-1). Amicus states as follows:

1. Amicus sent a MOTION FOR LEAVE, Amicus Curiae brief with Exhibit A and PROPOSED ORDER to the Clerk of the Court (sent via FedEx on

1 March 22nd, 2024, and received by the Clerk of the Court on March 25th, 2024).
2 (See Dkt. # 65, 65-1, 65-2, and 65-3, respectively).

3
4 2. On page 4 of the brief, Amicus wrote, in referencing the 5th Circuit
5 decision in Apter v. HHS, “Although Apter is still in litigation in the Southern
6 District on the standalone claim for *ultra vires*...”. (See Dkt. # 65-1 at 4:8-9).

7
8 3. On March 21st, 2024, one day *prior* to Amicus sending his brief, the
9 Parties in Apter filed a STIPULATION OF DISMISSAL which resolved the
10 pending claim.

11
12 4. On March 22nd, 2024, the *same day* that Amicus sent his brief via
13 FedEx, the Hon. Jeffrey V. Brown in the Southern District signed a STIPULATED
14 DISMISSAL and ORDERED all claims DISMISSED WITH PREJUDICE.

15
16 5. This was an oversight on the part of Amicus, who checked for an
17 update on Courtlistener.com *after* his brief hit the docket.¹ As such, Amicus stated
18 (incorrectly) that the Apter case was “*still in litigation*” when in fact the parties
19 had settled the prior day. Amicus stands by the remainder of his brief.

20
21
22 6. On March 26, 2024, Amicus sent an e-mail to both parties’ counsel
23 regarding his intention to file a NOTICE with the Court. Plaintiffs’ counsel
24 responded on same day with “*no objection*” and Amicus received an auto-
25

26
27
28 ¹ <https://www.courtlistener.com/docket/63355276/apter-v-department-of-health-and-human-services/> (last
visited March 26, 2024).

1 generated reply from defense that counsel was traveling until March 29. However,
2 on March 27 Defendants' counsel did reply manually as "*unopposed*" (which
3 Amicus saw on the 28th), hence Amicus should not have sent his first NOTICE
4 until he heard back from BOTH parties for the sake of equity.
5

6 7. Amicus apologizes to counsel for the parties, the Clerk, and to the
7 Hon. Judge Mazzant for sending duplicate notices, and for any inconvenience
8 regarding this oversight by Amicus.
9

10 Respectfully submitted on this day of MARCH 28, 2024
11

12 By: Pritish Vora
13 Pritish Vora, Amicus Curiae, Pro Se
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18 **CERTIFICATE OF SERVICE**

19 I, Pritish Vora, Amicus Curiae, hereby certify that I sent the NOTICE OF
20 CORRECTION to the Clerk of the Court via USPS Priority Mail on March 28,
21 2024, and a copy was sent via U.S. first class mail, postage prepaid, to each of the
22 respective parties below.
23

24 Respectfully submitted by:

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